

0472
No. 2859

United States
Circuit Court of Appeals
For the Ninth Circuit.

CHIN AH YOKE, alias JANE DOE,

Appellant,

vs.

EDWARD WHITE, Commissioner of Immigration for the Port of
San Francisco,

In the Matter of CHIN AH YOKE, alias JANE DOE on Habeas
Corpus,

Appellee.

Transcript of Record.

Upon Appeal from the United States District Court for
the Northern District of California,
First Division.

Filed

JAN 15 1917

F. D. Monckton,
Clerk.

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[Clerk's Note: When deemed likely to be of an important nature, errors or doubtful matters appearing in the original certified record are printed literally in *italic*; and, likewise, cancelled matter appearing in the original certified record is printed and cancelled herein accordingly. When possible, an omission from the text is indicated by printing in *italic* the two words between which the omission seems to occur.]

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GEO. A. MCGOWAN, Esq., Attorney for Petitioner
and Appellant.

JOHN W. PRESTON, Esq., Attorney for Respond-
ent and Appellee.

*In the District Court of the United States, in and for
the Northern District of the State of California,
Southern Division, Div. No. One.*

No. 16,016.

In the Matter of CHIN AH YOKE, *Alias* JANE
DOE, on Habeas Corpus.

Praeceptum for Transcript on Appeal.

To the Clerk of said Court:

Sir: Please make up Transcript of Appeal in the
above-entitled case, to be composed of the following
papers, to wit:

1. Petition for writ of Habeas Corpus.
2. Immigration record.
3. Order to show cause.
4. Demurrer to petition.
5. Order sustaining demurrer and denying petition
for writ.
6. Notice of Appeal.
7. Petition for appeal.
8. Assignment of errors.
9. Order allowing appeal.
10. All orders extending time to docket case.
11. Cost bond on appeal.
12. Citation on Appeal (Original).

13. Citation on Appeal (Copy).
 14. Clerk's certificate.

GEO. A. MCGOWAN,
 Attorney for Petitioner and Appellant.

[Endorsed]: Filed Aug. 19, 1916. W. B. Maling,
 Clerk. By C. W. Calbreath, Deputy Clerk. [1*]

*In the District Court of the United States, in and for
 the Northern District of California, First Divi-
 sion.*

No. 16,016.

In the Matter of CHIN AH YOKE, *Alias* JANE
 DOE, on Habeas Corpus.

Petition for Writ of Habeas Corpus.

The petition of Chin Ah Yoke respectfully shows:

That your petitioner is sometimes known as Ah Yoke, and is charged in the proceeding hereinafter referred to as Jane Doe, *alias* Wong Ah Mui, and that she is unlawfully imprisoned, detained, confined and restrained of her liberty by Edward White, the Commissioner of Immigration for the Port of San Francisco, at the Immigration station at Angel Island, county of Marin, State and Northern District of California.

That the said imprisonment, detention, confinement and restraint are illegal, and the illegality thereof consists in this, to wit, that it is claimed by the said Commissioner of Immigration that the said petitioner is an alien person who entered the United

*Page-number appearing at foot of page of original certified Transcript of Record.

States on or about the 7th day of October, 1912, through the port of San Francisco, where she had arrived upon the SS. "Shinyo Maru," and that she was thereafter permitted to enter the United States, and the said petitioner continued to reside in the United States from said last-mentioned date until the present time, and further that upon the first day of September, 1915, a warrant of arrest for the said petitioner, under the name of Jane Doe, was issued by the Secretary of Labor, wherein it was charged that the said detained was an alien who had been found practicing immoral pursuits since her entry into the United States, and that after a hearing, under [2]. the authority contained in said warrant of arrest, the said Secretary of Labor did on the 12th day of April, 1916, issue a warrant of deportation against the petitioner, in which it was recited that the said petitioner was an objectionable alien who had followed objectionable pursuits subsequent to her entry in the United States, and that she should be deported to China, the country whence she came. That during the proceedings had under the warrant of arrest above recited your petitioner was released on bail, and that the said petitioner, in compliance with the order of the Commissioner of Immigration was surrendered into, and is now in the custody of the said Commissioner of Immigration, and it is further claimed by the said Commissioner that he now holds the said petitioner in his possession, by virtue of said warrant of deportation, and that it is his purpose and intention to execute the said warrant of deportation by causing the detained to be deported on the

SS. "Shinyo Maru" sailing from the port of San Francisco at One P. M., on or about the 22d day of April, 1916, and it is further claimed by the said Commissioner that the action of the said Secretary of Labor, of himself as such Commissioner, and his subordinate officers in the premises, is authorized by the provisions of the Act of Congress of February 20th, 1907, which act is entitled: "An Act to regulate the immigration of aliens into the United States," and the Act amendatory thereof of March 26th, 1910.

But on the contrary your petitioner alleges that she is not an alien, but a native-born citizen of the United States of America, having been born on or about the 23d day of March, 1896, at No. 708½ Commercial St., in the city and county of San Francisco, State of California, of parents of the Chinese race then lawfully domiciled within the United States, and your affiant's father, Chin Duck Quong, has ever since been, and is now lawfully domiciled within [3] the United States, and that your petitioner's mother, Lee Shee, was at the time of the birth of your petitioner lawfully domiciled within the United States, and continued to reside herein until the time of her death, on or about the 20th day of June, 1900, at the family domicile at No. 708½ Commercial St., in the city and county, State aforesaid, and that your petitioner has resided continuously within the United States from the time of her birth up to the present time, and in support of the said fact your petitioner offered at the hearing before the said Commissioner the sworn affidavit of your petitioner,

the affidavit of your petitioner's father, the said Chin Duck Quong, the affidavit of Ho Shee, a Chinese woman who lived in the building in which your petitioner was born, and knew your petitioner from the time of her birth, and took care of, and raised your petitioner, after the death of your petitioner's mother, the affidavit of Chin Shee, a Chinese woman who has known your petitioner since your petitioner's birth, and knows that your petitioner is a citizen of this country, and has always resided herein, together with the affidavit of Chin Pak, who has known your petitioner since your petitioner was two or three years of age. Each of the said affidavits hereinabove referred to are annexed hereto in Exhibit "A," hereinafter mentioned, and your petitioner now specifically refers to said affidavits, with the same force and effect, as if the said affidavits, and each of them, were set forth in full herein, and immediately upon the arrest of your petitioner, and at all times thereafter your petitioner has maintained that she was a native-born citizen of the United States of America, and denied that she was the Wong Ah Mui, as claimed by the said Commissioner, and that the showing made by your petitioner of the fact that she was a native-born citizen of the United States of America was more than a *prima facie* showing of the existence of the said [4] American citizenship of your petitioner, and your petitioner alleges that it was an abuse of discretion upon the part of the said Secretary of Labor and the said Commissioner of Immigration, and the immigration officials acting under, or in pursuance

of their orders, to have ignored or decided against the said *prima facie* showing without first having examined and investigated the same, and your petitioner alleges that although the affidavits attesting the citizenship of your petitioner were filed with the said Commissioner, in opposition to the claim and contention of the said Commissioner that your petitioner was Wong Ah Mui, who had first entered the United States upon the 7th day of October, 1912, the said Commissioner, and the said Secretary of Labor violated the discretion committed to them by statute in such cases made and provided, and ignored and disregarded the said showing of citizenship, upon behalf of your petitioner, and failed and neglected to conduct an investigation or examination of the witnesses who had subscribed and sworn to the said affidavits, and the said Commissioner afforded your petitioner only the semblance of a hearing upon the question of her citizenship, in which they decided that she was not a citizen of the United States, without examining or conducting any investigation of the witnesses who were the affiants of affidavits presented by your petitioner.

Your petitioner further alleges that the said Secretary and the said Commissioner further abused the discretion committed to them by the statutes in such cases made and provided, in the following particulars, that is to say, that the said Commissioner of Immigration in denying the request of your petitioner to submit in the record and case of your petitioner, as the same was pending before the said Commissioner, the warrant of arrest, and the evi-

dence issued in support thereof, for a certain Gum Chim *alias* Bow Heung, which said warrant was issued by the Secretary of Commerce [5] and Labor under date of January 17th, 1911, and your petitioner alleges that the refusal of the said Commissioner to so place in the record of your petitioner, the said warrant of arrest, and the evidence upon which the said warrant of arrest was based by ruling that the said evidence was immaterial, was an abuse of the discretion committed to the said Commissioner, and deprived your petitioner of material evidence, which would have shown the presence of your petitioner in the United States, and that your petitioner was not the Wong Ah Mui referred to by the said Commissioner as having first entered the United States upon the 7th day of October, 1912, but that your petitioner had been identified as having been in the United States for upwards of a year prior to the said time, your petitioner having been identified to the said Commissioner, and that notwithstanding your petitioner requested that the said evidence be so submitted and made a part of the record herein, the said Commissioner reserves to himself the right to rule that the said evidence was immaterial, and by refusing to place the said evidence in the record, to thus finally determine the relevancy of the said record himself, and prevent the same being reviewed or passed upon by the Secretary of Labor, and the Secretary of Labor in affirming and approving the said action of the said Commissioner, did, your petitioner alleges, upon her information and belief violate and abuse of discretion committed to him

by the statutes in such cases made and provided, and the action of the said Commissioner and the said Secretary in the premises has deprived and prevented your petitioner from a fair hearing and due process of law, all in violation of the terms and provisions of Articles 4 and 5 on amendment to the Constitution of the United States of America, in each of the following particulars; First, that the warrant of arrest herein is not supported by oath or affirmation, second, that your petitioner has been deprived of her liberty without [6] due process of law, and your petitioner further alleges that the hearing accorded in said matter was unfair, and the keeping of your petitioner, incommunicado, in detention, without permitting her friends to communicate with her, or her to communicate with her friends, for about a period of twenty-one days after her arrest, was an abuse of discretion, and prejudiced the rights of your petitioner, and deprived and prevented her from a fair and adequate hearing in which she could present adequate evidence in opposition to the charge made against her, and the action hereinabove referred to placed the evidence which your petitioner was able to present in a prejudicial light before the said Commissioner and the said Secretary; and your petitioner further alleges, upon her information and belief that the evidence presented upon her behalf as a native-born citizen of the United States was of such a conclusive character, that to disregard the same was an abuse of discretion on the part of the officers who decided the same adversely to your petitioner.

That your petitioner has in her possession a complete copy of the record and evidence submitted in the said matter, and the same is hereunto annexed and marked Exhibit "A," save and except that there is not attached thereto the report or opinion of the Commissioner-General of Immigration, or the Secretary of Labor, other than the warrant of deportation, for the reason that said papers are not within the jurisdiction of this court, and time does not elapse for your petitioner to obtain the same before the deportation hereinafter complained of will be affected.

That this petition is made by your petitioner on her own behalf, and a photographic likeness of herself is affixed to the affidavit in Exhibit "A," hereinbefore mentioned.

That petitioner further alleges that she is not a prostitute or a woman of ill repute, as claimed by the said Commissioner [7] and the said Secretary.

That it is the intention of the said Commissioner to deport your petitioner out of the United States, the land of her nativity and birth, and of which she is a citizen, by the SS. "Shinyo Maru," sailing from the port of San Francisco, at One P. M. on the 22d day of April, 1916, and unless this Court intervene, your petitioner will be carried away from the land of her nativity and birth, and of which she is a citizen, all in violation of the rights of your petitioner, as hereinbefore set forth.

WHEREFORE, your petitioner prays that a writ of habeas corpus may issue, directed to the said Edward White, Commissioner of Immigration of the said port of San Francisco, staying the order of de-

portation, and directing him to produce the body of your petitioner before your Honor at a time and place to be specified in said matter, together with the time and cause of detention of said detained.

Dated at San Francisco, Cal., April 21st, 1916.

CHIN AH (Chinese Characters) YOKE,
Petitioner.

United States of America,
State and Northern District of California,—ss.

Chin Ah Yoke, being first duly sworn, deposes and says:—

That she is the petitioner named in the foregoing petition that the same has been read and explained to her, and *he* knows the contents thereof; that the same is true of her own knowledge, except as to those matters which are therein stated on her information and belief, and as to those matters she believes it to be true.

CHIN AH (Chinese Characters) YOKE.

Subscribed and sworn to before me this 21st day of April, 1916.

[Seal]

E. L. KIMMEL,

Notary Public in and for the County of Marin, State of California. [8]

(Here follows Exhibit "A.")

[Endorsed]: Filed Apr. 22, 1916. W. B. Maling, Clerk. By C. W. Calbreath, Deputy Clerk. [9]

*In the District Court of the United States, in and for
the Northern District of the State of California,
Division No. 1.*

No. 16,016.

In the Matter of CHIN AH YOKE, *Alias* JANE
DOE, on Habeas Corpus.

Order to Show Cause.

Good cause appearing therefor, and upon reading the verified petition on file herein, it is hereby ordered that Edward White, Commissioner of Immigration for the port and District of San Francisco, appear before this Court on the 29th day of April, 1916, at the hour of ten o'clock A. M. of midday, to show cause, if any he has, why a writ of habeas corpus should not be issued herein as prayed for, and that a copy of this order with said petition be served upon the said Commissioner.

AND IT IS FURTHER ORDERED that the said Edward White, Commissioner of Immigration as aforesaid, or whoever, acting under the orders of said Commissioner, or the Secretary of Labor, shall have the custody of the said Chin Ah Yoke, are hereby ordered and directed to retain the said Chin Ah Yoke within the custody of the said Commissioner of Immigration and within the jurisdiction of this court until its further order herein.

Dated, San Francisco, California, April 22d, 1916.

WM. W. MORROW,

United States Circuit Judge.

[Endorsed]: Filed Apr. 22, 1916. W. B. Maling,
Clerk. By C. W. Calbreath, Deputy Clerk. [10]

In the District Court of the United States, in and for the Northern District of California, First Division.

No. 16,016.

In the Matter of CHIN AH YOKE, *alias* JANE DOE, on Habeas Corpus.

Demurrer to Petition for Writ of Habeas Corpus.

Now comes the respondent, Edward White, Commissioner of Immigration of the port of San Francisco, in the State and Northern District of California, and demurs to the petition for a Writ of Habeas Corpus in the above-entitled cause and for grounds of demurrer alleges

I.

That the said petition does not state facts sufficient to entitle petitioner to the issuance of a Writ of Habeas Corpus, or for any relief thereon;

II.

That said petition is insufficient in that the statements therein relative to the record of the testimony taken on the trial of said applicant are conclusions of law and not statements of the ultimate facts.

WHEREFORE, respondent prays that the Writ of Habeas Corpus be denied.

JNO W. PRESTON,
United States Attorney.

CASPER A. ORNBAUN,
Asst. United States Attorney,
Attorneys for Respondent.

[Endorsed]: Presented in open court and filed April 29, 1916. W. B. Maling, Clerk. By Lyle S. Morris, Deputy Clerk. [11]

At a stated term of the District Court of the United States, for the Northern District of California, First Division, held at the courtroom thereof, in the city and county of San Francisco, State of California, on Saturday, the 29th day of April, in the year of our Lord, one thousand nine hundred and sixteen. PRESENT: The Honorable M. T. DOOLING, Judge.

No. 16,016.

In the Matter of CHIN AH YOKE, on Habeas Corpus.

Minutes of Court—April 29, 1916—Hearing on Demurrer to Petition for Writ of Habeas Corpus.

This matter came on regularly this day for hearing of the Order to Show Cause as to the issuance of a Writ of Habeas Corpus herein and motion to admit detained to go at large upon bail. Geo. A. McGowan, Esq., was present as attorney for petitioner and detained. C. A. Ornbaun, Esq., was present as Assistant United States Attorney on behalf of respondent, and filed a Demurrer to the Petition for Writ and also presented the Immigration Records as to the detained. After hearing Mr. McGowan, the Court order that said Immigration Records be filed herein as Respondent's Exhibit "A" and that the same be considered as a part of the said original Petition. Said matters were then argued by respective counsel and ordered submitted. [12]

In the District Court of the United States, in and for the Northern District of California, First Division.

No. 16,016.

In the Matter of CHIN AH YOKE, on Habeas Corpus.

Order Sustaining Demurrer to Petition to Writ of Habeas Corpus.

GEORGE A. MCGOWAN, Esq., Attorney for Petitioner.

JOHN W. PRESTON, Esq., United States Attorney and CASPER A. ORNBAUN, Esq., Assistant United States Attorney, Attorneys for Respondent.

ON DEMURRER TO PETITION FOR A WRIT OF HABEAS CORPUS.

The demurrer to the petition for a Writ of Habeas Corpus herein is sustained, and said petition denied.

June 12th, 1916.

M. T. DOOLING,
Judge.

[Endorsed]: Filed Jun. 12, 1916. W. B. Maling, Clerk. By C. W. Calbreath, Deputy Clerk. [13]

In the District Court of the United States, in and for the Northern District of the State of California, First Division.

No. 16,016.

In the Matter of CHIN AH YOKE, *alias* JANE DOE, on Habeas Corpus.

Notice of Appeal.

To the Clerk of the Above-entitled Court and to the Honorable JOHN W. PRESTON, United States Attorney for the Northern District of California.

You and each of you will please take notice that Chin Ah Yoke, the petitioner and the detained, above named, does hereby appeal to the Circuit Court of Appeals of the United States, for the Ninth Circuit thereof, from the order made and entered herein on the 12th day of June, 1916, denying the petition for a writ of habeas corpus filed herein.

Dated at San Francisco, California, June 16th, 1916.

GEO. A. MCGOWAN,
Attorney for Petitioner and Detained and Appellant. [14]

In the District Court of the United States, in and for the Northern District of the State of California, Division No. 1.

No. 16,016.

In the Matter of CHIN AH YOKE *alias* JANE DOE, on Habeas Corpus.

Petition for Appeal.

Now comes Chin Ah Yoke, *alias* Jane Doe, the petitioner, the detained and the appellant herein, and says:

That on the 12th day of June, 1916, the above-entitled court made and entered its order denying the petition for a writ of habeas corpus, as prayed for, on file herein, in which said order in the above-entitled cause certain errors were made to the prejudice of the appellant herein, all of which will more fully appear from the assignment of errors filed herewith.

WHEREFORE, this appellant prays that an appeal may be granted in her behalf to the Circuit Court of Appeals of the United States, for the Ninth Circuit thereof, for the correction of the errors so complained of, and further, that a transcript of the record, proceedings and papers in the above-entitled cause, as shown by the praecipe, duly authenticated, may be sent and transmitted to the said United States Circuit Court of Appeals, for the Ninth Circuit thereof.

Dated at San Francisco, California, June 16th, 1916.

GEO. A. MCGOWAN,
Attorney for Petitioner, Detained and Appellant.

In the District Court of the United States, in and for the Northern District of the State of California, First Division.

No. 16,016.

In the Matter of CHIN AH YOKE, *alias* JANE DOE, on Habeas Corpus.

Assignment of Errors.

Comes now, Chin Ah Yoke, *alias* Jane Doe, by her attorney, George A. McGowan, Esquire, in connection with her petition, for an appeal herein, assign the following errors, which she avers occurred upon the trial or hearing of the above-entitled cause, and upon which she will rely, upon appeal to the Circuit Court of Appeals, for the Ninth Circuit, to wit:

First. That the Court erred in denying the petition for a writ of habeas corpus herein.

Second. The Court erred in holding that it had no jurisdiction to issue a writ of habeas corpus, as prayed for in the petition herein.

Third. That the Court erred in not holding that the allegation contained in the petition herein for a writ of habeas corpus, were sufficient in law, to justify the granting and issuing of a writ of habeas corpus, as prayed for, in said petition.

Fourth. That the Court erred in not holding that the Secretary of Labor could not issue a warrant of arrest without reasonable cause and not supported by the oath of affirmation.

Fifth. That the Court erred in not holding that a native-born citizen of the United States is entitled

of right to a hearing before the judicial branch of the Government may be deported out of the United States. [16]

Sixth. That the Court erred in holding that the immigration authorities had accorded the appellant a fair hearing in the executive deportation proceeding.

SEVENTH. That the Court erred in holding that the Commissioner of Immigration could suppress and refuse to incorporate in the record, evidence requested by the petitioner upon her behalf.

WHEREFORE, the appellant prays that the judgment and order of the United States District Court, in and for the Northern District of the State of California, made and entered herein in the office of the clerk of the said court on the 12th day of June, 1916, discharging the order to show cause and dismissing the petition for a writ of habeas corpus be reversed and that this cause be remitted to the said lower court with instructions to discharge the said Chin Ah Yoke from custody, or grant her a new trial before the lower court, by directing the issuance of a writ of habeas corpus, as prayed for in said petition.

Dated San Francisco, California, June 16th, 1916.

GEO. A. MCGOWAN,
Attorney for Appellant.

Service of the within Notice of, Petition for Appeal and Assignment of Errors and receipt of a copy

thereof is hereby admitted this 16th day of June,
A. D. 1916.

JNO. W. PRESTON,

U. S. Atty.

C. A. O.

[Endorsed]: Filed Jun. 23, 1916. W. B. Maling,
Clerk. By C. W. Calbreath, Deputy Clerk. [17]

*In the District Court of the United States, in and
for the Northern District of the State of Cali-
fornia, First Division.*

No. 16,016.

In the Matter of CHIN AH YOKE, *alias* JANE
DOE, on Habeas Corpus.

Order Allowing Petition for Appeal.

On this 16th day of June, 1916, came Chin Ah Yoke, the petitioner and the detained, herein, by her attorney, George A. McGowan, Esquire, and having previously filed herein, did present to this Court her petition praying for the allowance of an appeal to the United States Circuit Court of Appeals for the Ninth Circuit, intended to be urged and prosecuted by her, and praying also that a transcript of the record and proceedings and papers upon which the judgment herein, was rendered, duly authenticated, may be sent to the United States Circuit Court of Appeals for the Ninth Circuit, and that such other and further proceedings may be had in the premises as may seem proper.

ON CONSIDERATION WHEREOF, the Court hereby allows the appeal herein prayed for, and

orders execution and remand stayed pending the hearing of the said case in the said United States Circuit Court of Appeals for the Ninth Circuit, and that the appellant may be released upon bond in the sum of one thousand dollars \$1,000, during the further proceeding to be had herein and in default of said bail, the said Edward White, Commissioner of Immigration of the port of San Francisco retain her within the jurisdiction of this court, to abide by whatever judgment may be finally entered herein. If the appeal be not diligently prosecuted the Government may apply [18] for an order revoking the admission to bail.

Dated at San Francisco, Cal., June 23d, 1916.

M. T. DOOLING,

United States District Judge.

Service of the within order and receipt of a copy thereof is hereby admitted this 24th day of June, A. D. 1916.

JNO. W. PRESTON,

U. S. Attorney.

[Endorsed]: Filed Jun. 23, 1916. W. B. Maling, Clerk. By T. L. Baldwin, Deputy Clerk. [19]

Citation (Copy).

UNITED STATES OF AMERICA,—ss.

The President of the United States, to Hon. EDWARD WHITE, Commissioner of Immigration for the Port of San Francisco and to His Attorney, JOHN W. PRESTON, Esq., United States Attorney for the Northern District of California, Greeting:

You are hereby cited and admonished to be and appear at a United States Circuit Court of Appeals for the Ninth Circuit to be holden at the city of San Francisco, in the State of California, within thirty days from the date hereof, pursuant to an order allowing an appeal of record in the clerk's office of the United States District Court for the Northern District of California, First Division, wherein Chin Ah Yoke, *alias* Jane Doe is appellant, and you are appellee, to show cause, if any there be, why the decree rendered against the said appellant, as in the said order allowing appeal mentioned should not be corrected, and why speedy justice should not be done to the parties in that behalf.

WITNESS, the Honorable M. T. DOOLING, United States District Judge for the Northern District of California, First Division, this 23d day of June, A. D. 1916.

M. T. DOOLING,
United States District Judge.

Service of the within Citation and receipt of a copy thereof is hereby admitted this 24th day of June, 1916.

JNO. W. PRESTON,
U. S. Attorney.

Copy of the within Citation on Appeal is lodged with the clerk of this court this 24th day of June, A. D. 1916. In witness whereof I have hereunto set my official hand and seal.

W. B. MALING,
Clerk.

By C. W. Calbreath,
Deputy.

[Endorsed]: Filed Jun. 23, 1916. W. B. Maling, Clerk. By T. L. Baldwin, Deputy Clerk. [20]

In the District Court of the United States, in and for the Northern District of the State of California, Southern Division, Div. No. One.

No. 16,016.

In the Matter of CHIN AH YOKE, *alias* JANE DOE, on Habeas Corpus.

Cost Bond on Appeal.

MASSACHUSETTS BONDING AND INSURANCE COMPANY.

KNOW ALL MEN BY THESE PRESENTS, That we, Chin Ah Yoke, *alias* Jane Doe, as principal, and Massachusetts Bonding and Insurance Company, as sureties, are held and firmly bound unto the United States of America in the full and just sum of five hundred (500) dollars, to be paid to the said United States of America, its certain attorney, executors, administrators or assigns; to which payment, well and truly to be made, we bind ourselves, our heirs, executors and administrators, jointly and severally by these presents.

Sealed with our seals and dated this 18th day of August, in the year of our Lord, one thousand nine hundred and sixteen.

WHEREAS, lately at a District Court of the United States for the Northern District of California, First Division, in a matter pending in said court, for a writ of habeas corpus an order was en-

tered against the said Chin Ah Yoke, *alias* Jane Doe, sustaining a demurrer to her petition for a writ of habeas corpus and denying the petition for the writ, and she having obtained from said court an order allowing an appeal to reverse the said order [21] in the aforesaid matter, and a citation directed to the respondent citing and admonishing him to be and appear at a United States Circuit Court of Appeals for the Ninth Circuit to be holden at San Francisco, in the State of California.

NOW, THE CONDITION OF THE ABOVE OBLIGATION IS SUCH, That if the said Chin Ah Yoke, *alias* Jane Doe, shall prosecute said appeal to effect, and answer all damages and costs if she fail to make her plea good, then the above obligation be void; else to remain in full force and virtue.

CHIN AH (Chinese Characters) YOKE,
Alias, etc. (Seal)

MASSACHUSETTS BONDING AND IN-
SURANCE COMPANY. (Seal)

By JOHN H. ROBINSON, (Seal)
Its Attorney in Fact.

Attest: FRANK M. HALL,
Attorney in Fact.

Acknowledged before me the day and year first above written, by Chin Ah Yoke, *alias* Jane Doe, the principal in and to the foregoing bond.

FRANCIS KRULL, (Seal)
United States Commissioner, North'n Dist. of Cali-
fornia. [22]

State of California,
City and County of San Francisco,—ss.

On this 18th day of August, A. D. 1916, before me, Grace R. Schmitt, a notary public in and for the city and county of San Francisco, personally appeared, John H. Robertson, Attorney in Fact, and Frank M. Hall, Attorney in Fact of the Massachusetts Bonding and Insurance Company, to me personally known to be the individual and officers described in and who executed the within instrument, and they each acknowledged the execution of the same, and being by me duly sworn, severally and each for himself depose and saith, that they are the said officers of the company aforesaid, and that the seal affixed to the written instrument is the corporate seal of said company aforesaid, and that said corporate seal and their signatures as such officers were duly affixed and subscribed to the said instrument by the authority and direction of said corporation.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal at my office in the city and county of San Francisco, the day and year first above written.

[Seal] GRACE R. SCHMITT,
Notary Public in and for the City and County of
San Francisco, State of California.

Cost bond approved.

Casper A. Ornbaun,
Assist. U. S. Atty.

[Endorsed]: Filed Aug. 19, 1916. W. B. Maling,
Clerk. By C. W. Calbreath, Deputy Clerk. [23]

Respondent's Exhibit "A"—Immigration Record.
Bureau of Information Recd. Exec. Divn.
Form 8B

(TIME STAMP)

WARRANT—DEPORTATION OF ALIEN.

12020

1589 UNITED STATES OF AMERICA,
 U. S. DEPARTMENT OF LABOR.

No. 54012/116 Washington.

To EDWARD WHITE, Commissioner of Immigration,
Angel Island Station, San Francisco, Cal.

WHEREAS, from proofs submitted to me, after due hearing before Immigrant Inspector J. X. Strand, held at Angel Island, Cal., I have become satisfied that the alien AH YOKE, *alias* JANE DOE, *alias* WONG AH MUI, *alias* WONG SHEE, *alias* WONG MOY, who landed at the port of San Francisco, Cal., ex. SS. "Shinyo Maru," on the 7th day of October, 1912, has been found in the United States in violation of the Act of Congress approved February 20, 1907, amended by the Act approved March 26, 1910, to wit:

That she is a prostitute and has been found practicing prostitution subsequent to her entry into the United States, and may be deported in accordance therewith:

I, W. B. Wilson, Secretary of Labor, by virtue of the power and authority vested in me by the laws of the United States, do hereby command you to return

the said alien to China, the country whence she came, at the expense of the appropriation "Expenses of Regulating Immigration, 1916." You are directed to purchase transportation for the alien from San Francisco, Cal., to her home in China, at the lowest available rate, payable from the above-named appropriation.

For so doing, this shall be your sufficient warrant.

Witness my hand and seal this 12th day of April, 1916.

[Seal]

W. B. WILSON,
Secretary of Labor. [24]

U. S. DEPARTMENT OF LABOR.
IMMIGRATION SERVICE.

12020/1589.

Office of the Commissioner.
San Francisco, Cal.
March 17, 1916.

Commissioner-General of Immigration,
Washington, D. C.

Transmitted herewith is the record of the hearing in the case of Jane Doe, *alias* Ah Yoke, *alias* Wong Ah Mui, arrested under Departmental warrant dated September 2, 1915, No. 54012/116. It will be noted that the record is slightly out of chronological order, due to the fact that the formal request for the warrant of arrest does not indicate what, if any, evidence was transmitted therewith; for which reason the transcript of testimony of Wong Him Sing (the man who was in company with the alien at the time of her apprehension), taken on Septemebr 1st and 2d, is appended to the record.

This alien was found by Inspector Robinson of this service in the room of a Chinaman in a local Chinese hotel, about 7 o'clock in the morning; and the statement that she is a prostitute, made by the man to Inspector Robinson, together with the fact that she had previously visited his room on various occasions, although an entire stranger, sustains the charge in the warrant that the woman is a prostitute and has been found practicing prostitution subsequent to her entry. The infamous character of the hotel is substantiated by the affidavit of Miss Donaldina Cameron. From information received from confidential sources this office was enabled to locate the record of this woman's admission to the United States in 1912, as the alleged wife of a native, which fact establishes her alienage and conclusively disproves her claim of American nativity. As might be expected, she of course denies that she is the person admitted on the record in question (No. 11266/32029, Wong Ah Mui, ex. SS. "Shinyo Maru" Oct. 7, 1912); but this office [25] is more than satisfied, from a comparison of the enlarged photographs of the defendant with that of the person so admitted; that they are identical. Such enlarged photographs are appended hereto in a file marked "exhibits," and it will be noted therefrom that there are physical peculiarities in common—notably pitmarks over the inner corner of the right eye and over the left corner of the mouth. A tracing of the profile and the ear of the photograph of the woman admitted in 1912 (designated as No. 2) has been made, which will be found to exactly fit the profile and ear of the defend-

ant (photograph No. 3), the apparent difference between the distance from the outer rim of the ear to the point of the nose in the two photographs mentioned, being accounted for by the fact that, in photograph No. 3, the head is slightly turned toward the camera, which fact, from a test made in this office, apparently increases the distance between the points named. The formation of the ears in photographs one and four, as well as in photographs 2 and 3, is identical.

To meet the burden of proof resting upon the defendant, affidavits of the woman under arrest, of her alleged father, and of three other Chinese persons, have been introduced, all of which are intended to establish her claimed American birth; but in the opinion of this office that showing is far from convincing, even in the absence of the—to my mind—conclusive proof presented by the landing record referred to. In view of the above facts it is recommended that a warrant of deportation issue.

It will be noted that the attorney of record has protested and excepted to the fact that the alien was held incommunicado from the date of her arrest until counsel was permitted to enter the proceedings; to the admission of the testimony of Wong Him Sing (taken into custody in company with the alien) on the ground [26] that the alien was not present with counsel; and to the fact that the privilege of cross-examination was not accorded; and has requested that the latter witness be recalled for the defense. It is believed that the action of this office was in no way prejudicial to the interest of the alien,

and was entirely in accord with the regulations. It has assumed the position, and has so advised the attorney, that the further testimony of Wong Him Sing will be taken if his production is secured by counsel, this office having no power or process by which to compel his attendance as a witness, nor funds from which to defray the expense incident thereto. As to the right of cross-examination, it would appear that adjudicated cases hold that such privilege cannot be claimed as a right. The attorney's demand that testimony and warrants referring to a certain Gum Chi or Bow Heung be made a part of the record has been denied, first on the ground that the statements referred to were not made of record, and secondly, because they were subsequently shown to be immaterial.

Exact copy as signed by

W. T. Boyce.

Mailed this day by K., Acting Commissioner.

WHW/ASH.

Inclosure No. 26567. [27]

U. S. DEPARTMENT OF LABOR.

IMMIGRATION SERVICE.

12020/1589

Office of the Commissioner.

San Francisco, Cal.

March 17, 1916.

Geo. A. McGowan, Esq.

Attorney-at-Law,

Bank of Italy Bldg., San Francisco.

Sir:

With reference to the case of Jane Doe, *alias* Wong Ah Mui, *alias* Ah Yoke, arrested under De-

partmental warrant dated September 2 last, and which you represent as counsel, you are advised that the transmittal of this record to the Department has been unavoidably delayed until this date, when the record is being sent forward.

In connection therewith it is noted that you filed a brief of exceptions, wherein you protest against the admission of the testimony of Wong Him Sing on the ground that the detained was not confronted by said witness and was not accorded the privilege of cross-examination by counsel, as a result of which you request the recall of that witness. In reply thereto you are advised that it is the understanding of this office that said witness lives in Yuma, Arizona, and that he was only in this city on a visit at the time the defendant was taken into custody; and that this office has no authority or process by which his attendance as a witness could be compelled, or funds from which to defray the expenses incident thereto. It is unnecessary to state, however, that it is the desire of this office to hear all witnesses in the alien's behalf, and that if you wish to introduce this man as your witness, and have any means by which to accomplish that purpose, an opportunity will be accorded for the taking of such additional testimony. With regard to your further request that there be made part of the record [28] statements of girls in a Presbyterian Mission who identified the defendant as Gum Chi or Bow Heung, and that there be produced for your inspection the warrant of arrest for the last-mentioned person, you are advised that it does not appear from the record that

those statements were recorded, and the first part of your request cannot therefore be complied with. You are informed, however, that these references in the record to Gum Chi and Bow Heung are entirely immaterial, and the introduction of the warrant of arrest in that case cannot therefore serve any useful purpose.

Respectfully,

Exact copy as signed by

W. T. BOYCE,

Mailed this day by K.,

Acting Commissioner.

WHW/ASH. [29]

Bureau of Immigration.

Form 8A.

WARRANT—ARREST OF ALIEN.
UNITED STATES OF AMERICA,
U. S. DEPARTMENT OF LABOR.

12020

Washington.

(Time Stamp)

1589

No. 54012/116

To SAMUEL W. BACKUS, Commissioner of Immigration, Angel Island Station, San Francisco, California, or to Any Immigrant Inspector in the Service of the United States.

WHEREAS, from evidence submitted to me, it appears that the alien JANE DOE, who landed at an unknown port, on or about the 1st day of July, 1915, has been found in the United States in violation of the Act of Congress approved February 20, 1907, amended by the Act approved March 26, 1910, for the following among other reasons:

That she is a prostitute and has been found practicing prostitution subsequent to her entry into the United States.

I, J. B. Densmore, Acting Secretary of Labor, by virtue of the power and authority vested in me by the laws of the United States, do hereby command you to take into custody the said alien and grant her a hearing to enable her to show cause why she should not be deported in conformity with law.

The expenses of detention hereunder, if necessary, are authorized, payable from the appropriation "Expenses of Regulating Immigration, 1916." Pending disposition of her case the alien may be released from custody upon furnishing satisfactory bond in the sum of \$1,000.00.

For so doing, this shall be your sufficient warrant.

Witness my hand and seal this 2d day of September, 1915.

[Seal]

J. B. DENSMORE,
Acting Secretary of Labor.

RHH. ID. [30]

APPLICATION FOR WARRANT OF ARREST
UNDER SECTIONS 20 AND 21 OF THE
ACT OF FEBRUARY 20, 1907.

12020/1589.

U. S. DEPARTMENT OF LABOR.

Immigration Service.

(Place) San Francisco, Calif.

Confirming telegraphic request.

September 4, 1915.

The undersigned respectfully recommends that the Secretary of Labor issue his warrant for the arrest

of Jane Doe (Chinese), the alien named in the attached certificate, upon the following facts which the undersigned has carefully investigated, and which, to the best of his knowledge and belief, are true:

(1) (Here state fully facts which show alien to be unlawfully in the United States. Give sources of information, and, where possible, secure from informants and forward with this application duly verified affidavits setting forth the facts within the knowledge of the informants.)

Alien found in compromising surroundings with a man. Both detained. Man later released when landing was verified, as son of Native. Man stated to Inspector Robinson that woman was a prostitute. Alien as yet refuses to talk. It is believed that she may be Gum Chi, *alias* Bow Heung, warrant number 53210/76, dated June 17, 1911.

(2) The present location and occupation of above-named alien are as follows: At this Station.

Pursuant to Rule 22 of the Immigration Regulations there is attached hereto and made a part hereof the certificate prescribed in subdivision 2 of said Rule, as to the landing or entry of said alien, duly signed by the immigration officer in charge at the port through which said alien entered the United States.

Exact copy as signed by

SAMUEL W. BACKUS,

Mailed this day by K.,

(Official title.)

Commissioner.

Bureau of Immigration.

Form 8A.

WARRANT—ARREST OF ALIEN.

UNITED STATES OF AMERICA.

U. S. DEPARTMENT OF LABOR.

12020

Washington.

(Title Stamp)

1589

No. 54012/116

To SAMUEL W. BACKUS, Commissioner of Immigration, Angel Island Station, San Francisco, California, or to Any Immigrant Inspector in the Service of the United States.

WHEREAS, from evidence submitted to me, it appears that the alien JANE DOE, who landed at an unknown port, on or about the 1st day of July, 1915, has been found in the United States in violation of the Act of Congress approved February 20, 1907, amended by the Act approved March 26, 1910, for the following among other reasons:

That she is a prostitute and has been found practicing prostitution subsequent to her entry into the United States.

I, J. B. Densmore, Acting Secretary of Labor, by virtue of the power and authority vested in me by the laws of the United States, do hereby command you to take into custody the said alien and grant her a hearing to enable her to show cause why she should not be deported in conformity with law.

The expenses of detention hereunder, if necessary, are authorized, payable from the appropriation "Expenses of Regulating Immigration, 1916." This warrant supersedes and cancels warrant of arrest issued in this case on September 2, 1915.

For so doing, this shall be your sufficient warrant.

Witness my hand and seal this 11th day of September, 1916.

[Seal]

J. B. DENSMORE,
Acting Secretary of Labor.

RHH. ID. [32]

U. S. DEPARTMENT OF LABOR.

Immigration Service.

No. 12020/1589.

Angel Island, Cal.,

September 1, 1915.

Statement of WONG HIM SING, *alias* WONG
GWEE TING, Taken into Custody on the
Morning of September 1, 1915.

Examining Inspector, J. X. STRAND.

Interpreter, LOUIS FON.

Stenographer, L. E. DINKLAGE.

Testimony of Wong Him Sing.

Witness sworn.

Q. What are your names?

A. Wong Him Sing and Wong Gwee Ting.

Q. Are others? A. No others.

Q. How old are you? A. 34.

Q. Where were you born?

A. Colusa, California.

Q. Have you any documentary evidence to support that statement?

A. On file in your office. (File No. 13177/1-20 covers his last entry when he was landed as a native.)

Q. What is your business?

A. Cook in Yuma, Arizona.

Q. Where do you reside?

(Testimony of Wong Him Sing.)

A. I have been stopping at a Chinese hotel in San Francisco since I came here. Mon Ming, Clay Street.

Q. How long have you been stopping at that hotel?

A. Five days.

Q. What room did you have there? A. 307.

Q. When you came there five days ago were you accompanied by anyone? A. No.

Q. You were found in that room and building early this morning by an inspector of this Service, were you not? A. Yes.

Q. Who was the girl that was in that room with you?

A. She is one of the visitors in my room, because I had a bath in that room she came there to take a bath this morning.

Q. What hour did she come to your room for the purpose of getting a bath? A. Six o'clock.

Q. (In English.) You told me 5 o'clock, which was it?

A. I have no clock; it was between that time. [33]

Q. (Through interpreter.) Did the girl take the bath in your room as you state? A. Yes.

Q. In your presence?

A. I was in bed, half asleep.

Q. What hour were you apprehended by the inspector this morning?

A. I have no watch or clock, it must be about 7 o'clock.

Q. What was the girl doing in your room from the time she had entered there, you state about 5 or 6

(Testimony of Wong Him Sing.)

o'clock, up to 7 o'clock when you were apprehended?

A. She was visiting me and talked with me; have conversation.

Q. In what manner did she enter your room? How did she get in there?

A. First she rapped at the door and I opened the door for her. She told me that day before she would come to my room and take a bath there.

Q. You got up?

A. Yes I got up, opened the door for her, and let her in.

Q. Where did you make the arrangements with her the day previous relative to her taking this bath?

A. She telephoned to me. I don't know where she telephoned from.

Q. Were you in your room at the time?

A. Yes.

Q. What hour of day or night was it she telephoned to you?

A. Between 11 and 12 o'clock last night.

Q. Has she ever been in your room on any prior occasion than this morning?

A. Yes, she has been there twice since I have been there.

Q. When did she go to your room the first time and for what purpose?

A. To visit me during the daytime.

Q. When?

A. Last Saturday, between 2 and 3 o'clock in the afternoon.

Q. For what purpose did she go to your room at

(Testimony of Wong Him Sing.)

that time? A. To see me. [34]

Q. For what purpose?

A. Just a friendly visit; have a talk with me.

Q. How long did she remain at that time?

A. Little over an hour.

Q. When did you again see her in your room?

A. She came again Monday between 7 and 8 o'clock in the evening.

Q. For what purpose did she come at that time?

A. She informed me through the telephone before that hour, that she would call on me and see me.

Q. And when she came to your room what purpose did she state she had in seeing you at that time?

A. She wanted to visit me.

Q. How long did she remain Monday?

A. Over ten minutes.

Q. What is her business?

A. I don't know what her occupation is or what she is doing for a living.

Q. How long have you known her?

A. About two weeks.

Q. Where did you first become acquainted with her?

A. First got acquainted with her in the same hotel, Mon Ming Hotel, *where* I was there one night.

Q. Did you occupy the same room with her that night? A. No.

Q. How did you become acquainted with her?

A. In the office at the hotel.

Q. State the circumstances under which you became acquainted with her.

(Testimony of Wong Him Sing.)

A. I got into conversation with her and became acquainted with her and she asked me what room I lived in, she wanted to come up and see me.

Q. Do you not know of your own knowledge that this girl is a prostitute?

A. I could not state positively whether she is a prostitute or not.

Q. Have you had any immoral relations with her?

A. No.

Q. Did you ever learn of anyone that did?

A. No.

Q. What is your impression of her?

A. It is my impression—[35] I could not say she is a moral person or I could not say she is immoral.

Q. Do you consider it a proper thing for a girl or woman to visit you at the late and unusual hours you state she visited you and come there to take a bath, as you state she did?

A. Of course, not a moral person would do that in my belief.

Q. What is her name?

A. She told me her name was Ah Heung and I always called her Ah Heung.

Q. What is her family name?

A. I don't know.

Q. Did you ever give her any money at any time?

A. She asked me for money but I did not give her any.

Q. Why did she ask you for money?

A. To make her a loan of a few dollars.

(Testimony of Wong Him Sing.)

Q. Are you a married man? A. Yes.

Q. You consider that a proper thing for a married man to have strange women visiting your room at late and unusual hours?

A. That would not be right.

Q. Why do you permit it then?

A. Because she wanted to come to my place and I could not prevent her from doing so.

Q. When the inspector went to your room this morning, did you have your street clothes on at that time? A. No, I was in bed.

Q. Where did you put on your street clothes?

A. I put them on on the fire escape.

Q. Was the girl you were with in street clothes, or what was her condition?

A. She had most of her clothes on except the overcoat, street coat.

(Girl brought before witness.)

Q. Was this the girl you have been referring to as visiting you on various occasions, and who was found in bed with you this morning? A. Yes. [36]

Inspector Swasey takes the examination.

Q. For whom are you working in Yuma?

A. Candacu (Mexican place).

Q. Did you ever have any difficulty with the police authorities in Los Angeles? A. Yes.

Q. What was it?

A. There were some Chinese smuggled from Mexico and they went into my restaurant in Los Angeles for hiding, and afterward I accompanied them on an auto stage. I was on the same stage to

(Testimony of Wong Him Sing.)

go to some suburb of Los Angeles and I was taken in custody with the crowd and I found that I had no money at that time and pleaded guilty and I was sentenced to ten months in prison for that trouble.

Q. Did you serve your time? A. Yes.

Q. In the city prison, Los Angeles? A. Yes.

Q. When were you released?

A. First month of this year (about February).

Q. Did you know the girl who was taken into custody with you this morning before you came to San Francisco this time? A. No.

Q. Never saw her before? A. No.

Q. How did you become acquainted with her?

A. In the office of the hotel.

Q. Who introduced you to her, if anybody?

A. Just met her in the hotel lobby.

Q. Did you and the woman who was taken into custody with you this morning, occupy the same room and bed last night? A. No.

Q. Is it not a fact that when our officer entered the room you tried to escape by the fire escape, putting your clothes on then?

A. I got frightened and quickly ran out that way.

(Inspector Robinson called.)

Q. Inspector Robinson, I would like to have you make a statement as to the exact conditions you found this man and woman in when you entered the room this morning.

A. When Detective Skelly and I [37] knocked at the door of room 307 in the Mon Ming Hotel on Clay Street near Stockton, a little after 7 A. M., we

(Testimony of Wong Him Sing.)

had to knock several times and finally a man answered from the room adjoining (305 I think, adjoining 307 on the right, with a door connecting the two rooms). We finally told him we were officers and wanted to get in. We got no answer. We heard people moving around in the room and finally the woman I brought to the station opened the door and this man was nowhere to be seen. After searching the room we were unable to find him and we had heard the window raised and the curtain being moved while we were in the hall, and we concluded the man had escaped by the fire escape, so I decided to go to the next floor below to see if I could apprehend him, when Mr. Skelly called me back and had this man, said he found him on the fire escape dressing himself.

Q. When you went into the room and saw him with Mr. Skelly, how much of his clothes did he have on?

A. He had his coat and vest off, had apparently just slipped on his trousers; he was just putting his shoes and shirt on after he came in, and finished dressing while I was in the room.

Q. Did Mr. Skelly say where he had found him?

A. On the fire escape, dressing himself.

Q. Was the door between the room adjoining and the room in which you found him open?

A. Yes, it was.

Q. Was anybody in the adjoining room?

A. No. I wanted to say about the woman, my

(Testimony of Wong Him Sing.)

recollection is the woman put on her slippers while I was there.

Q. Were there any indications to show conclusively that these two people were occupying the same room?

A. There was only one bed there and the pillows showed two people had been occupying the bed.

Q. Was the bed in the room you entered, or the adjoining room? A. The adjoining room. [38]

Q. Was there any place to sleep in the room you entered? A. No.

Q. What would you believe the room was used for if not for sleeping quarters?

A. Those rooms are fixed for apartments. Kitchen and some lockers, apparently used as a dining-room, etc. I asked the man who the woman was and he said the woman was a whore whom he had been sleeping with. We asked how much he had paid her and he said, "Oh, she is a friend of mine and came up here and stayed with me for nothing."

(To witness.)

Q. Have you ever given the woman who was brought over here with you any presents of any kind? A. No.

Q. Have you ever paid her any money?

A. No.

Q. How do you account for the statement that Inspector Robinson has just made that you told him that this woman was a prostitute and you were just sleeping with her last night?

A. No, I did not say so.

(Testimony of Wong Him Sing.)

(Girl called in.)

Q. What is your name?

A. I don't want to tell you my name.

Q. You are informed that your refusal to divulge your real name, or answer any questions which may be asked of you at this time, will only serve to prolong your detention and the ultimate bringing to a close of your case. (No answer.)

Q. Where were you born? A. (No answer.)

Q. How old are you? A. Don't know.

Q. When did you come to the United States?

A. I was born in the United States.

Q. Have you any documentary evidence to show that?

A. I have not here. It is with my attorneys.

Q. Where are your parents?

A. I don't want to tell you anything about them.

Q. How do you expect to leave this station unless you furnish us [39] with information to satisfy us that you are entitled to remain in the United States, you being of the Chinese race?

A. Don't care; I don't want to tell you anything.

Q. Do you realize that you will be held at this station until you make the proper statement to show your right to be in the United States?

A. I don't see why you could deport me, or why I cannot stay in this country.

Q. If you show us the evidence or give us the information to substantiate your claim that you are native born, this office has no reason to detain you any longer. (Refuses to answer.)

(Testimony of Wong Him Sing.)

I hereby certify to the correctness of the foregoing transcript.

L. E. DINKLAGE,
Stenographer. [40]

U. S. DEPARTMENT OF LABOR
Immigration Service.

No. 12020/1589.

Angel Island, Cal.

September 2, 1915.

In re WONG HIM SING and Woman Taken into
Custody With Him on the Morning of Sep-
tember 1, 1915.

Examining Inspector, J. X. STRAND.

Interpreter (Examination in English).

Stenographer, L. E. DINKLAGE.

Q. I asked you yesterday what was the name of
the girl that was found in your room and brought
to this station with you, and who was later brought
into your presence and identified by you as Ah
Heung. A. Yes, she told me Heung.

Q. I will ask you again what is her family name?

A. I don't know her family name.

Q. Did you ever hear her referred to as Gum
Chi? A. I never heard that.

Q. Did you ever hear her referred to as Bow
Heung? A. I don't know that.

Q. You told me you were going to tell me the truth.

A. I don't know.

Q. What else do you know about her?

A. Mon Ming Hotel office knows her.

(Testimony of Wong Him Sing.)

Q. How many other girls are in that hotel?

A. I just see another one, that is all.

Q. Were you ever in Calexico?

A. Yes, I got pinched once there.

Q. What was the name of your restaurant there?

A. Calexico Cafe.

Q. Were you ever in Tia Juana? A. No.

Q. Do you still own a restaurant in Calexico?

A. I buy it about four months ago.

Q. Were you associated with any Chinese girl while down there in that neighborhood?

A. No. [41]

Q. Did you ever know a girl named Wong Ott or Wong Ark? A. No.

Q. Tell me the truth about the girl you call Ah Heung. Where does she come from?

A. I don't know where she come from. I only know her two weeks ago. I never asked her where she comes from.

Q. How much money have you? A. Not much.

Q. When did you come up to San Francisco last time? A. About two weeks.

Q. Where from? What place?

A. Los Angeles; Calexico and Los Angeles.

Q. Did you come by train from Los Angeles or boat? A. By train.

Q. You came with someone else?

A. No, me, that's all.

Q. Why did you come here? What for?

A. I like to come to see the Fair.

Q. Were you ever in San Luis Obispo?

(Testimony of Wong Him Sing.)

A. No, never.

Q. Before when you have trouble, did you meet custom-house men because you smuggled opium?

A. Never.

Q. Never got in trouble smuggling opium.

A. No.

Q. What did you get in trouble for?

A. Just smuggled Chinamen.

Q. How long have you been engaged in smuggling Chinamen?

A. About two years ago I got arrested.

Q. How long before that first time you started to smuggle Chinese?

A. I, no smuggle Chinamen. Me and another Chinaman on the train and they said we smuggle Chinamen.

Q. You pleaded guilty.

A. I got no money; cost \$1000 for lawyer. No got so much money. My friend tell me better say guilty. I stayed in jail a long time. Pretty near one year.

Q. Did you ever learn any other place that the girl Ah Heung had been located, other than the hotel where she was found with you? A. No.

Q. Did you tell her anything about you being in trouble in Los Angeles and that neighborhood?

A. No. [42]

(Testimony of Ah Yoke.)

U. S. DEPARTMENT OF LABOR.

Immigration Service.

No. 12020/1589.

Angel Island, Cal.,

September 7, 1915.

In re AH YOKE, *alias* BOW HEUNG, *alias* AH HEUNG, *alias* JANE DOE, Taken into Custody Sept. 1, 1915.

Examining Inspector—J. X. STRAND.

Interpreter—LEO G. DEAN.

Stenographer—L. E. DINKLAGE.

Testimony of Ah Yoke.

Alien sworn.

Q. What is your name?

A. My name is Ah Yoke.

Q. What is your family name?

A. I am not willing to give you my family name at the present time. I am waiting for my attorney's advice.

Q. How old are you?

A. I know my age but I won't tell you?

Q. Where were you born?

A. Born in this country.

Q. Have you any documentary evidence to support that statement? A. Not with me.

Q. Where were you born?

A. I don't wish to tell you just now where I was born.

Q. Is it not a fact that you were born in China?

A. No, in the United States.

(Testimony of Ah Yoke.)

Q. Were you ever on board the steamer "Manchuria" at any time?

A. I don't know that boat.

Q. Were you ever known under the name of Bow Heung? A. No.

Q. Were you ever known by the name of Gum Chi? A. No.

Q. Did you ever live in a building at 12 Portola Alley at any time? A. No, I never lived there.

Q. Where do you reside?

A. I am not going to give you that information yet.

Q. How long have you resided in the hotel where you were apprehended? A. Two nights.

Q. Are you married? A. No.

Q. How do you support yourself?

A. My father and mother support me. [43]

Q. Where are your parents?

A. I don't wish to state that just now.

Q. What are the names of your parents?

A. I don't wish to tell you about my father and mother. He knows all about my trouble.

Q. Who knows all about your trouble?

A. He knows that I am here—my father.

Q. How do you know that your father is aware that you are being detained here?

A. Because he is inquiring about me and people must have told him I was arrested.

Q. Have you made any trips to China? A. No.

Q. How long have you been acquainted with the Chinese man who was apprehended with you in a

(Testimony of Ah Yoke.)

hotel in Chinatown recently?

A. I don't know him. I was sleeping in the room. He was arrested outside of my room.

Q. Is it not a fact that he was apprehended on the fire escape immediately outside of the room where you were found? A. That I don't know.

Q. He stated that he had a certain room in that hotel engaged and that you came there to visit that room for the purpose of taking a bath. Is that statement correct? A. Yes, that is correct.

Q. Did you take a bath as he stated was the purpose of your coming?

A. That is not so. I did not go to his room to take a bath, but that room belonged to me and he came to my room to take the bath. After he took the bath he went away and then I went to bed and went to sleep and I don't know what became of him.

Q. What was the number of the room which you claim belonged to you?

A. I don't know the number of the room.

Q. Have you registered in that hotel? A. No.

Q. Had this man ever been in your room on any previous occasion? A. No.

Q. How did he gain access to your room on this particular occasion? [44]

A. The landlady told him about my room; it has a bathtub—that is how he came. There was no previous arrangement.

Q. Do you know the name of this person—this Chinese? A. No.

Q. He has given his name as Wong Him Shing.

(Testimony of Ah Yoke.)

A. That I don't know.

Q. You were brought in his presence the other day when he was being questioned and he identified you as a girl he had known as Ah Heung.

A. I never heard him address me by that name. He don't know me.

Q. He stated he had known you for at least several days; that you had visited him on other occasions; had been in there talking to him.

A. No, that is not so.

NOTE: This alien was taken to Miss Cameron's Mission the other day by Inspector Robinson of this Service and two of the girls under Miss Cameron's care, formerly inmates of houses of prostitution, identified this girl, one stating that she was Gum Chi, the other one stating that she was Bow Heung. Warrants of arrest have been issued for a certain Gum Chi with the *alias* Bow Heung, and it is my understanding these girls stated that the girl now under arrest was an inmate of a house of prostitution at 12 Portola Alley. If this information is correct it is evident that she is a girl reported to this office some time ago as having been smuggled into this country from the steamer "Manchuria." An investigation along that line is now being made inasmuch as the alien refuses to give any information concerning her nativity.

I hereby certify to the correctness of the foregoing transcript.

L. E. DINKLAGE,
Stenographer. [45]

(Testimony of Ah Yoke.)

U. S. DEPARTMENT OF LABOR.

Immigration Service.

No. 12020/1589

Angel Island, Cal.

September 20, 1915.

In re AH YOKE, *alias* BOW HEUNG, *alias* GUM
CHI, *alias* WONG AH MUY, etc., Taken into
Custody September 1, 1915.

Examining Inspector—J. X. STRAND.

Interpreter—LEE G. DEAN.

Stenographer—L. E. DINKLAGE.

Alien sworn.

Q. What is your name? A. Ah Yoke.

Q. What is your family name?

A. I don't know my family name.

Q. How old are you? A. 20.

Q. Where were you born?

A. I don't know; I was born in the United States.

Q. I will show you full face and profile photograph
of Chinese girl in record #11266/32029, page 14
thereof, and ask you if you recognize the same.

A. I don't know those pictures.

Q. Is it not a fact that those photographs were
taken of you at this station on or about October 10,
1912? A. I never been here before.

Q. Were you ever known under the name of Wong
Ah Muy?

A. No, I never had that name. I never *same* from
China.

Q. I will show you full face photograph which ap-
pears on page 20 of the record and ask you if you
recognize that photograph.

(Testimony of Ah Yoke.)

A. I don't know her. (Same is photograph of applicant, Wong Ah Muy, who came on the "Shinyo Maru," October 7, 1912.)

Q. I will show you photograph of a Chinese man which appears on page 3 of the record and ask you if you recognize that photograph.

A. I don't know him.

Q. I will show you photograph on the same page with a Chinese girl directly below the one just shown you of the Chinese man, and ask you if you recognize that photograph.

A. I don't know her. (These photographs refer to the aforesaid Wong Ah Muy and her alleged husband, Lim Yuen, who arrived at this port on the same steamer [46] as the girl above mentioned, having ticket #32006.)

Q. Inasmuch as you claim nativity have you any documentary evidence to produce to support that statement?

A. I have no records or papers to show, but they are with my parents.

Q. What are the names of your parents?

A. My father has a name, but I will not give it to you.

Q. What is the name of your mother?

A. Her name is Lee Shee, but she is dead.

Q. Where did she die?

A. I was 4 or 5 years old.

Q. Where did she die? A. In this country.

Q. Have you any brothers or sisters?

A. None.

(Testimony of Ah Yoke.)

Q. Notwithstanding your claim to nativity, I am satisfied that you were not born in this country, but that you are the person represented in the photograph of the Chinese girl I have shown you on three different occasions in this record which I have before me. I received information from several sources that you came to this country three or four years ago as the wife of a native; that you were the wife of a Lim man, and with that information to work on I was able to locate the record which I am now referring to. The photographs in each instance of the Chinese girl clearly indicate that you are the person who did come to this country as the wife of a native, and as the wife of a certain Lim Yuen.

A. I don't care what you have found out. You got a mouth and I got a mouth and each one can say what they want.

Q. A warrant of arrest has been issued by the Acting Secretary of Labor covering a certain Jane Doe. This name was used for the occasion in asking for the warrant inasmuch as you refused to give your name when you were first brought to the station. This Jane Doe warrant sets forth that you are a prostitute and have been found practicing prostitution subsequent to your entry into the United States. In addition to referring to you as Jane Doe you will [47] also be referred to as Wong Ah Muy, the name under which I claim you came to this country, alien, native of Canton, China, in 1912, as the wife of a native.

A. I don't know what way you are conducting this case.

(Testimony of Ah Yoke.)

Q. You are now brought before me, an immigrant inspector, to give you an opportunity to show cause, if you have any, why you should not be deported in conformity with law.

A. I can give you no other reason except I was born here.

Q. You are further notified that you have the privilege of inspecting the warrant of arrest and all the evidence upon which it was issued.

A. I don't want to see it.

Q. You are further notified that you have the privilege of employing counsel. Do you wish to avail yourself of that privilege?

A. My case is taken care of by my father.

Q. Do you wish to employ counsel to represent you in any further hearing in this case?

A. I leave that to my father. He can hire an attorney for me.

Q. Your attorney, no doubt, will make the necessary arrangements for your release under bond in the sum of \$1,000, that being permitted under the terms of the warrant, when we were satisfied as to your identity.

A. All right.

I hereby certify to the correctness of the foregoing transcript.

L. E. DINKLAGE,
Stenographer. [48]

Affidavit of Chin Ah Yoke.

State of California,

City and County of San Francisco,—ss.

Chin Ah Yoke, being first duly sworn upon oath, according to law, doth depose and say:—

That she is a native born citizen of the United States, having been born at No. 708 $\frac{1}{2}$ Commercial St., San Francisco, on or about the 23d day of March, 1896 (Kwong Suey 22-2-10), and that Chin Duck Quong is your affiant's father and that Lee Shee was your affiant's mother. That your affiant's mother died at the said family domicile at No. 708 $\frac{1}{2}$ Commercial St. on about the 20th day of June, (K. S. 25-6-20), when your affiant was about four years of age. That the exact date of your affiant's birth and the date of the death of your affiant's mother are, of course, not within the personal recollection of your affiant, and is the result of the information given to your affiant by your affiant's said father many years preceding to the present time.

That after the death of your affiant's mother your affiant was taken care of by Ho Shee in the said building, at No. 708 $\frac{1}{2}$ Commercial St., under the guidance and direction of affiant's father. That your affiant continued to reside at No. 708 $\frac{1}{2}$ Commercial St. for many years thereafter with Ho Shee.

That your affiant has never been out of the United States, has always resided herein. That at the time of the arrest of your affiant in San Francisco on September 1st, she had never had any previous experience with the Immigration officials, but that ar-

rested at the same time with her was a Chinese man who claimed to have had experience with criminal matters, who advised and told your affiant that she should not give any information about herself, about who or what she was, until an attorney could come and see her and talk to her, and that this privilege would have to be accorded me, and it was for that reason, because I had no advice, and was [49] unable to communicate with others, and others could not communicate with me, that I refused to make any statement at all to the Immigration officials with respect to myself. That if I had been permitted counsel to advise me, or if my friends had been allowed to communicate with me, I would have given true, full and correct information about myself. That I was kept at the immigration station from the time of my apprehension on September 1st for a period of three weeks before released on custody, and during that time I was not permitted to see or interview anyone, nor was any attorney permitted to see me.

That the confronting with your affiant of the landing record of the case of the Chinese woman known as Wong Ah Mui, is correctly set forth in the record of the proceedings of September 20th, in so far as I am confronted with the record, but that I do not know the person described in the said record, and whose photograph is hereto attached, and while it may resemble my photograph it is not of myself, and I am not the Wong Ah Mui referred to. That I am Chin Ah Yoke. That I was born and raised in this country, and have never been absent therefrom.

That the photograph which is hereto annexed is of your affiant.

That your affiant submits herewith the affidavit of her father, Chin Duck Quong, the affidavit of Ho Shee who cared for and raised your affiant after the death of the mother of your affiant, the affidavit of Chin Shee who has known your affiant since the earliest recollection of your affiant, and also of Chin Pak, who has known your affiant since your affiant's earliest recollection.

CHIN (Chinese Characters) AH YOKE.

Subscribed and sworn to before me this 20 day of December, 1915.

(Seal) THOMAS S. BURNES,
Notary Public in and for the City and County of San Francisco, State of California.

(PHOTO ON ORIGINAL ONLY.)

Photograph of CHIN AH YOKE. [50]

Affidavit of Chin Duck Quong.

State of California,
City and County of San Francisco,—ss.

Chin Duck Quong, being first duly sworn upon oath, according to law, doth depose and say:

That he is a resident Chinese person lawfully domiciled within the United States, and that he has been such for many years last past.

That this affidavit is made by your affiant to facilitate in establishing the identity of your affiant's daughter Chin Ah Yoke, who was born on or about the 23d day of March, 1896 (K. S. 22-2-10) at No. 708 $\frac{1}{2}$ Commercial Street, San Francisco, Cal. That

your affiant is her father, and that your affiant's wife Lee Shee was her mother. That she continued to and did reside with your affiant up until the time of the death of your affiant's said wife Le Shee. That your affiant's said wife died at her family domicile at No. 708 $\frac{1}{2}$ Commercial St. on or about June 20th, 1900 (K. S. 5-20). That after the death of your affiant's said wife his said daughter Chin Ah Yoke so continued to reside in the same building, and was there cared for by a Chinese woman by the name of Ho Shee, and that she continued to reside with her, under the care and observation of your affiant, for a number of years thereafter. That your affiant's said daughter Chin Ah Yoke has never to the knowledge of your affiant been out of the United States, but has always continued to reside, and does now reside therein.

Your affiant further deposes and says that the said Chin Ah Yoke was recently taken into custody by the Immigration officials on a charge of being an alien Chinese woman, the claim being advanced that she entered the United States on the SS. "Shinyo Maru" on October 7th, 1912, under the name of Wong Ah Muy, as the wife of a citizen or a merchant. In this connection your affiant desires to depose and say that however much the photograph of this said Wong [51] Ah Muy may resemble his said daughter Chin Ah Yoke, that it is not a photograph of the said Chin Ah Yoke, and the said Wong Ah Muy is a person separate, different and apart from your affiant's said daughter who was taken into custody by the immigration officials as aforesaid. In this connection your

affiant alleges that a mistake in identity has been made by assuming that your affiant's said daughter is the said Wong Ah Muy.

That within the last few years your affiant's said daughter Chin Ah Yoke has not been entirely under the control of your affiant. That your affiant is a laboring man and has his daily duties to perform, and since his daughter Chin Ah Yoke has reached an adult age she has lived separate and apart from your affiant, and your affiant has not had an opportunity to daily observe her movements as was his custom and habit during her younger years, and that your affiant did not know of her arrest by the immigration authorities, and did not learn thereof until sometime later.

That the photograph annexed to the affidavit of the said Chin Ah Yoke, hereto attached, is of the said Chin Ah Yoke, affiant's daughter.

CHIN (Chinese Characters) DUCK QUONG.

Subscribed and sworn to before me this 20 day of December, 1915.

(Seal) THOMAS S. BURNES,
Notary Public, in and for the City and County of
San Francisco, State of California. [52]
State of California,

Affidavit of Ho Shee.

City and County of San Francisco,—ss.

Ho Shee, being first duly sworn upon oath, doth depose according to law, *doth depose* and say:

That affiant is a resident Chinese person lawfully domiciled within the United States. That your affi-

ant is personally acquainted with Chin Ah Yoke who was recently arrested and taken into custody on the charge of being an alien Chinese woman, and that your affiant has known the said Chin Ah Yoke since her birth. That Chin Ah Yoke's parents are respectively Chin Duck Quong, her father and Lee Shee, her mother. That she was born at No. 708 $\frac{1}{2}$ Commercial Street, San Francisco. That your affiant resided in the said building at the said time, and knew the said family living there, and knew of the birth of their child, and saw them almost daily until the *daughter* of the mother, Lee Shee, which occurred about the middle of the 26th year of Kwong Suey, and that thereafter the said Chin Ah Yoke was placed in the care and custody of your affiant, who cared for and raised her under the supervision of her father. That the said Chin Ah Yoke continued to reside with your affiant until she became an adult. That your affiant has seen her continuously since her younger years, and frequently since, and knows that the said Chin Ah Yoke is a native born citizen of the United States.

That your affiant heard of the arrest of the said Chin Ah Yoke by the Immigration authorities, and endeavored to locate her father, so that he might send for her, but she was unable to find his whereabouts for sometime thereafter.

In conclusion your affiant submits that the said Chin Ah Yoke is not an alien, but is a native born citizen of the United States as herein set forth. [53]

That the photograph attached to the affidavit of the

said Chin Ah Yoke, hereto annexed, is of the said Chin Ah Yoke.

her
HO X SHEE.
mark

Witnesses to mark:

THOMAS S. BURNES.
CHIN PAK.

Subscribed and sworn to before me this 20 day of December, 1915.

[Seal] THOMAS S. BURNES,
Notary Public, in and for the City and Coutny of San
Francisco, State of California. [54]

Affidavit of Chin Shee.

State of California,
City and County of San Francisco,—ss.

Chin Shee, being first duly sworn upon oath, according to law, doth depose and say:—

That your affiant is a resident Chinese person lawfully domiciled within the United States.

That your affiant is personally well acquainted with Chin Ah Yoke who was arrested by the Immigration authorities in this city on or about the 1st day of September, 1915. That your affiant knows the said Chin Ah Yoke to be a native born citizen of the United States, her father being Chin Duck Quong, and her mother having been Lee Shee. That the said Chin Ah Yoke was born at the then family domicile at No. 708½ Commercial Street, San Francisco, Cal., and that she was born during the first few months of the 22d year of Kwong Suey, and

that she continued to reside with her parents from the time of her birth until the death of her mother, which occurred at their said residence about the middle of the 26th year of Kwong Suey, and that thereafter the said Chin Ah Yoke was placed in custody, and was cared for by Ho Shee, who lived in the same building at No. 708 $\frac{1}{2}$ Commercial St., but that while in the care and custody of Ho Shee the said Chin Ah Yoke was under the control and custody of her father. The said Chin Ah Yoke continued to reside with the said Ho Shee for many years thereafter. That your affiant has known the said Chin Ah Yoke, and has seen her at frequent intervals, and knows that she is a native-born citizen of the United States.

Your affiant is further advised that there has been an attempted identification of the said Chin Ah Yoke as a Chinese woman by the name of Wong Ah Mui, who it is claimed entered the United States some three years ago. In this connection your affiant alleges that the said Chin Ah Yoke is not the said Wong Ah Mui, [55] and your affiant believes that a mistake in identification has been made.

That the photograph attached to the affidavit of the said Chin Ah Yoke hereto annexed is of the said Chin Ah Yoke.

her
CHIN X SHEE,
mark

Witnesses to mark:

THOMAS S. BURNES,
CHIN PAK.

Subscribed and sworn to before me this 20 day of December, 1915.

[Seal] THOMAS S. BURNES,
Notary Public, in and for the City and County of
San Francisco, State of California. [56]

Affidavit of Chin Pak.

State of California,

City and County of San Francisco,—ss.

Chin Pak, being first duly sworn upon oath, according to law, doth depose and say:

That affiant is a resident Chinese person lawfully domiciled within the United States. That affiant is personally well acquainted with Chin Ah Yoke who was arrested by the Immigration authorities about the 1st day of September, 1915.

That the said Chin Ah Yoke has been known to affiant since she was two or three years of age. That when your affiant first learned of her it was through his acquaintance with her parents Chin Duck Quong and his wife Lee Shee, who then resided at No. 708½ Commercial St., where your affiant was informed by the said Chin Duck Quong and Lee Shee that their child had been born.

That your affiant has seen the said Chin Ah Yoke at frequent intervals since the time of her birth up to the present time, and is in a position to and positively does identify the said Chin Ah Yoke as a native born citizen of the United States.

Your affiant having been advised that the Immigration authorities have attempted to identify the said Chin Ah Yoke as an alien Chinese woman by the name of Wong Ah May, who it is *claimed the*

United States about three years ago, your affiant desires to depose and say that he believes a mistake in identity has been made as the said Chin Ah Yoke was born, reared and raised in the United States, and within the knowledge of your affiant the said Chin Ah Yoke has at no time been out of the United States.

That the photograph annexed to the affidavit of the said Chin Ah Yoke is of the said Chin Ah Yoke.

CHIN PAK.

Subscribed and sworn to before me this 20 day of December, 1915.

[Seal]

THOMAS S. BURNES,

Notary Public, in and for the City and County of San Francisco, State of California. [57]

In re: AH YOKE, Whose True Name is CHIN AH YOKE, Arrested September 1st, 1915, Under Departmental Warrant No. (S. F.) 12020/1589 Department No. 54012/116.

In accordance with the provisions of the Immigration Rules and Regulations there is submitted herewith the testimony, affidavits and counter-showing made upon behalf of Chin Ah Yoke, arrested herein as Jane Doe.

PROTESTS AND EXCEPTIONS.

The Immigration Rules and Regulations provide that the Protest and Exceptions should not encumber the record, but should be embodied in a separate written communication. We desire to protest against the taking of the detained into custody on the 1st day of September, 1915, and held incommunicado, and not granting her the right of counsel,

or the right of communicating with her friends, or having her friends or relatives communicate with her, from the 1st of September to and including the 20th day of September, and by said action preventing the detained from being advised by her relatives, friends and legal adviser of the reason for her having been taken into custody, and what her rights and privileges were in the premises, so that she acting upon said advice could have given all the information desired of her in the proceeding pending against her.

We desire further to protest against the incorporation in the record herein of the testimony taken upon the 1st day of September, 1915, and on the 2d day of September, 1915, from Wong Him Sing, otherwise known as Wong Ngee Ting, on the ground that the said testimony was taken in the proceeding contemplated against the said Chin Ah Yoke, and that the detained was at said hearing not permitted to be present with her counsel, so that she might question the said witness with respect to the subject matter of [58] his evidence detrimental to the said detained, and it is now desired and requested that the said Wong Him Sing be recalled as a witness, so that he may be examined or cross-examined at the instance of the said Chin Ah Yoke, and that now the right of attorney having been accorded her she may submit evidence on her own behalf from said witness.

Request is hereby made that the statements made by "two of the girls under Miss Cameron's care," wherein this Chin Ah Yoke was identified as a cer-

tain Gum Chi, and further as a certain Bow Heung, may be presented and filed with the record herein, so that they may be inspected by the said detained and her counsel. It is also desired that the warrant of arrest for the certain Gum Chi alias Bow Heung be also presented for the inspection of the said Chin Ah Yoke and her counsel. The said Chin Ah Yoke in furtherance of the above and foregoing request desires to state that if the said requests are not complied with she desires to protest at the said refusal to so comply with her said request, and to protest the action of the officer before whom this hearing was conducted.

The said Chin Ah Yoke does further desire to protest against the said proceeding on the ground that she is a native born citizen of the United States, and that there is no evidence of her being other than a native-born citizen of the United States, and that the said proceeding herein is for said reason null and void and in violation of the constitutional rights and liberties of such native born citizen of the United States.

Respectfully submitted,
GEO. A. MCGOWAN,
Attorney for Chin Ah Yoke. [59]

Affidavit of Donaldina Cameron.

COPY.

THE WOMAN'S OCCIDENTAL BOARD
of Foreign Missions
of the
Presbyterian Church
920 Sacramento Street.

San Francisco, Jan. 4, 1916.

Donaldina Cameron, being first duly sworn, deposes and says that on or about the first part of August, 1912, she entered the building known as the Mun Wing Hotel, situated on the north side of Clay Street, below Stockton Street, in the city and county of San Francisco, and rescued from a room in said hotel a young Chinese slave girl named Howe Seen, who was awarded to the custody of the Presbyterian Mission Home by Judge Murasky. The Chinaman in whose custody she was found at the time of her rescue being placed under arrest. The hotel above named was at that time and has subsequently been used as a rendezvous for slave girls and their owners.

(Sgd.) DONALDINA CAMERON.

Subscribed and sworn to before me at San Francisco, Calif., Jan. 4, 1916.

(Sgd.) JOHN A. ROBINSON,
Immigrant Inspector. [60]

**Certificate of Immigrant Inspector Re Mon Hing
Hotel.**

U. S. DEPARTMENT OF LABOR.

Immigration Service.

12020/1589.

Office of the Commissioner,
San Francisco, Cal.

January 5, 1916.

This is to certify that I have known the Mon Ming Hotel situated at 868 Clay Street, San Francisco, Calif., as a rendezvous for Chinese prostitutes and their consorts for the past three years or more.

JPL.

JOHN A. ROBINSON,
Immigrant Inspector. [61]

**Affidavit of Immigrant Inspector Re Wong Ah
Mui.**

12020/15-89.

January 5th, 1915.

This is to certify that I received information from a Chinese source that the woman under arrest believed by this office to be Wong Ah Mui and taken from the Mon Ming Hotel in company with a certain Chinese by the name of Wong Him Sing on the morning of the September 1st last, came to this country a few years ago as the wife of a Lim Man of Berkeley, California; that she was a prostitute and has pimp in San Francisco named Chim Pak—that the man who brought her to this country had returned to China.

Respectfully,

JOHN A. ROBINSON,

Inspector. [62]

U. S. DEPARTMENT OF LABOR.

Immigration Service.

Office of the Commissioner.

San Francisco, Cal.

January 8, 1916.

Memorandum for the Commissioner.

In re JANE DOE, *alias* WONG AH MUI, 12020/
1589.

This person was found in a room of the Mon Ming Hotel, Chinatown of San Francisco, in company with a Chinese man who stated that she came to his room for the purpose of taking a "bath." Both were brought to this station, and it developed that the man was a native of this country, and he was accordingly released. The girl refused to make any statement other than to claim that she also was a native of this country; her demeanor, however, evidently indicated that she is of the prostitute class. Information had been conveyed to me from several sources after her arrest that she was a prostitute and that she came to this country three or four years ago as the wife of a "Lim" man, a laundryman of Berkeley who recently departed for China, and that she had a pimp known as Chin Pok. Inspector Robinson received similar information (see his affidavit).

I accordingly searched the book of arrivals in the Chinese Division covering the period in question, and finally located the record of Lim Yuen, 12017/5546, and from this record traced that of Wong Ah Mui (record No. 11266/32029, both herewith as exhibits), and from the photograph of this applicant I readily identified her as the girl now under arrest; a com-

parison of the enlarged photographs 3 and 4, taken of the girl under arrest, with the enlargements of the photographs 1 and 2 taken of the girl who was admitted, shows conclusively that they represent one and the same person— [63] the pit at the inner corner of right eyebrow and on left cheek demonstrate this.

Miss Cameron and Inspector Robinson give the Mon Ming Hotel the reputation of being a house of prostitution. I recommend that a warrant of deportation issue.

(Sgd.) J. X. STRAND,

Inspector in Charge, Immigration Division.

JXS-WDS.

[Endorsed]: No. 16,016. U. S. District Court, Northern District of California, First Division. In the Matter of Chin Ah Yoke, on Habeas Corpus. Respts. Exhibit "A." Presented in open court and filed Apr. 29, 1916. W. B. Maling, Clerk. By Lyle S. Morris, Deputy Clerk. [64]

In the District Court of the United States, in and for the Northern District of the State of California, First Division.

No. 16,016.

In the Matter of CHIN AH YOKE, *alias* JANE DOE, on Habeas Corpus.

Order Extending Time to August 23, 1916, to File Record and Docket Cause.

Good cause appearing therefor, and upon motion of George A. McGowan, Esquire, attorney for the

petitioner and appellant herein, it is hereby ordered that the time within which the above-entitled case may be docketed in the office of the clerk of the United States Circuit Court of Appeals, in and for the Ninth Circuit, may be and the same is hereby extended for the period of thirty (30) days from and after the date hereof.

Done in open court this 24th day of July, A. D. 1916.

WM. W. MORROW,
Judge United States Circuit Court of Appeals, for
the Ninth Circuit.

Service of the within Order and receipt of a copy thereof is hereby admitted this 24th day of July, A. D. 1916, at San Francisco, Cal.

JOHN W. PRESTON,
U. S. Atty.

[Endorsed]: Filed Jul. 24, 1916. W. B. Maling,
Clerk. By C. W. Calbreath, Deputy Clerk. [65]

*In the District Court of the United States, in and for
the Northern District of the State of California,
Southern Division, Div. No. One.*

No. 16,016.

In the Matter of CHIN AH YOKE, *alias* JANE
DOE, on Habeas Corpus.

**Order Extending Time to September 7, 1916, to File
Record and Docket Cause.**

Good cause appearing therefor, and upon motion of George A. McGowan, Esquire, attorney for the petitioner and appellant herein, it is hereby ordered

that the time within which the above-entitled case may be docketed in the office of the clerk of the United States Circuit Court of Appeals, in and for the Ninth Circuit, may be and the same is hereby extended for the period of fifteen days from and after the date hereof.

Done in open court this 23d day of August, A. D. 1916.

M. T. DOOLING,

United States District Judge, Now Presiding in the
Above-entitled Court.

The foregoing extension, which is being made for the purpose of completing the record, is hereto consented to.

JNO. W. PRESTON,

United States Attorney.

Due service and receipt of a copy of the within order is hereby admitted this 23d day of August, 1916.

JNO. W. PRESTON,

U. S. Attorney, Northern District of California, At-
torney for Respondent.

[Endorsed]: Filed Aug. 23, 1916. W. B. Maling,
Clerk. By C. W. Calbreath, Deputy Clerk. [66]

**Certificate of Clerk U. S. District Court to
Transcript on Appeal.**

I, W. B. Maling, Clerk of the District Court of the United States, for the Northern District of California, do hereby certify that the foregoing 66 pages, numbered from 1 to 66, inclusive, contain a full,

true, and correct transcript of certain records and proceedings, in the Matter of Chin Ah Yoke, etc., on Habeas Corpus, No. 16,016, as the same now remain on file and of record in this office; said Transcript having been prepared pursuant to and in accordance with the "Praecipe for Transcript on Appeal" (copy of which is embodied in this transcript), and the instructions of Geo. A. McGowan, Esq., Attorney for Petitioner and Appellant herein.

I further certify that the cost for preparing and certifying the foregoing Transcript on Appeal is the sum of thirty dollars and seventy cents (\$30.70), and that the same has been paid to me by the attorney for the appellant herein.

Annexed hereto is the Original Citation on Appeal, issued herein, page 68.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said District Court, this 30th day of August, A. D. 1916.

[Seal]

W. B. MALING,
Clerk.

C. W. Calbreath,
Deputy Clerk.

[Ten Cent Internal Revenue Stamp. Canceled
8/30/16. C. W. C.] [67]

Citation on Appeal.

UNITED STATES OF AMERICA,—ss.

The President of the United States, to Hon. EDWARD WHITE, Commissioner of Immigration for the Port of San Francisco and to His Attorney John W. Preston, Esq., United States Attorney for the Northern District of California, Greeting:

You are hereby cited and admonished to be and appear at a United States Circuit Court of Appeals for the Ninth Circuit, to be holden at the city of San Francisco, in the State of California, within thirty days from the date hereof, pursuant to an order allowing an appeal, of record in the Clerk's office of the United States District Court for the Northern District of California, First Division, wherein Chin Ah Yoke, *alias* Jane Doe, is appellant, and you are appellee, to show cause, if any there be, why the decree rendered against the said appellant, as in the said order allowing appeal mentioned, should not be corrected, and why speedy justice should not be done to the parties in that behalf.

WITNESS, the Honorable M. T. DOOLING, United States District Judge for the Northern District of California, First Division, this 23d day of June, A D. 1916.

M. T. DOOLING,
United States District Judge. [68]

Service of the within Citation and receipt of a copy thereof is hereby admitted this 24th day of June, 1916, at San Francisco, Cal.

JNO. W. PRESTON,

U. S. Attorney.

Copy of the within Citation on Appeal is lodged with the clerk of this court this 24th day of June, A. D. 1916. In witness whereof, I have hereunto set my official hand and seal.

W. B. MALING,

Clerk.

By C. W. Calbreath,

Deputy.

[Endorsed]: No. 16,016. United States District Court for the Northern District of California, First Division. Chin Ah Yoke, *alias* Jane Doe, Appellant, vs. Edward White, Commissioner of Immigration, Port of San Francisco. Citation on Appeal. Filed Jun. 23, 1916. W. B. Maling, Clerk. By T. L. Baldwin, Deputy Clerk.

[Endorsed]: No. 2859. United States Circuit Court of Appeals for the Ninth Circuit. Chin Ah Yoke, *alias* Jane Doe, Appellant, vs. Edward White, Commissioner of Immigration for the Port of San Francisco. In the Matter of Chin Ah Yoke, *alias* Jane Doe, on Habeas Corpus, Appellee. Transcript of Record. Upon Appeal from the United States

District Court for the Northern District of California, First Division.

Filed September 7, 1916.

F. D. MONCKTON,

Clerk of the United States Circuit Court of Appeals
for the Ninth Circuit.

By Paul P. O'Brien,
Deputy Clerk.

